



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

## **AGENDA WITH ANALYSIS**

**NOTICE OF MEETING  
STATE PUBLIC WORKS BOARD  
Friday, February 11, 2011**

The **STATE PUBLIC WORKS BOARD** will meet on  
**Friday, February 11, 2011, at 10:00 a.m. in Room 113,  
State Capitol, Sacramento, California.**

In accordance with provisions of section 11125 of the  
Government Code, a copy of the Agenda is attached.

Greg Rogers  
Administrative Secretary

Attachment

**STATE PUBLIC WORKS BOARD**

**Friday**  
**February 11, 2011**  
**10:00 a.m.**  
**Room 113**

State Capitol  
Sacramento, California

- I.** Roll Call
- II.** Approval of minutes from the [January 14, 2010](#) meeting
- III.** Consent Items Page 3
- IV.** Action Items Page 20
- V.** Other Business Page 23
- VI.** Reportables Page 23

## CONSENT ITEMS

### CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
HISTORIC COURTHOUSE  
GLENN COUNTY

AOC Facility Number 11-A1, DGS Parcel Number 10690

*Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended.*

**Consider accepting real property through a transfer of title**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

Judicial Council of California  
Administrative Office of the Courts  
Historic Courthouse  
Glenn County

#### Action Requested

**If approved, the requested action would authorize the acceptance of real property through a transfer of title.**

#### Scope Description

**This transaction is within scope.** The County of Glenn (County) is transferring fee title in and to the court facility commonly known as Historic Courthouse located at 526 West Sycamore Street, Willows, California (Court Facility), to the State of California (State) acting by and through the Judicial Council of California (Council), Administrative Office of the Courts (AOC), pursuant to that certain Transfer Agreement between the Council, AOC, and the County for the Transfer of Responsibility and Title for Court Facility, dated December 29, 2009 (Transfer Agreement). The Historic Courthouse shares the 2.75 acre campus with other county agencies; approximately 0.6 acres is attributable to the Court Facility. The building is approximately 22,330 gross square feet.

The Transfer of Responsibility for and Title to the Court Facility dated December 29, 2009, between the County and the AOC provides the AOC the right to acquire the County's remaining equity interest to the first and basement floors totaling 8,241 square feet. The AOC plans to exercise such right to accommodate the planned consolidation of two other court operations into the Historic Courthouse. The County will be entitled to compensation for its equity interest to approximately 3,446 square feet in the first floor Recorder's Office and the 4,795 square feet in the basement, for a total of 8,241 square feet. The estimated County equity interest of the 8,241 square feet is \$443,000. The acquisition of the County equity will be included as part of the Willows Courthouse Renovation and Addition project authorized by the Board on March 15, 2010.

#### Funding and Cost Verification

**This transaction is within cost.** The County shall not be entitled to compensation for any equity value in the square footage occupied by the Superior Court in the Court Facility pursuant to the Trial Court Facilities Act of 2002 (the Act).

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on August 31, 2010, and the statutes of limitation period expired on October 4, 2010, without a challenge.

#### Project Schedule

Close of escrow

February 2011

#### Condition of Property

A Phase 1 Environmental Site Assessment was conducted in May 2009, for the building and seismic assessments. The Phase I includes an evaluation of significant environmental, health, and safety conditions impacting the interior and exterior of the Court Facility. In preparing the Phase I, a visual inspection of the Court Facility was performed to detect any apparent hazardous conditions in, on, or about the Court Facility, and the historical uses of the real property were reviewed.

Based on the review and evaluation of existing environmental data obtainable through site observations and review of available historical and agency records, the Phase 1 evaluation identified operations that have included the use of photographic darkroom where photochemical waste was typically disposed of in a sink. No reported release or violations related to waste containing silver; thus it does not qualify as a recognized environmental concern.

#### *Building Assessment*

Staff from the AOC's Office of Court Construction and Management (OCCM) conducted an initial site visit of the Court Facility on April 18, 2006, to assess the general condition of the property. Staff has since made numerous additional visits to the site to monitor the condition of the court facility. OCCM concluded that the Court Facility did not contain any apparent hazards to the health and safety of the occupants or property.

#### *Seismic Safety Assessment of the Improvements*

In accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division, a Tier I seismic safety assessment of the building located in the Court Facility was performed by a licensed structural engineer on April 9, 2004. This seismic evaluation of the Court Facility was then peer-reviewed by other qualified engineers. The AOC determined that the building has a seismic safety rating of Level V, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994. However, the Transfer Agreement provides indemnification to the State for seismic related damage and injury per section 70324 of the Government Code.

#### Other

- The County adopted a Resolution on December 29, 2009, approving the Transfer Agreement to transfer title and responsibility of the Court Facility to the State.
- The Transfer Agreement requires the delivery of title to the property to be free and clear of any mortgage or liens.
- The AOC is not aware of any pending lawsuits concerning the property.
- Any future plans to renovate the building will be subject to the review and approval by the California State Historic Preservation Office.
- Any alterations and additions to the Historic Courthouse by the AOC shall be reviewed by the County to ensure that such alterations will not result in unacceptable impacts to the historic character, nature or features of the building.
- The County has agreed to indemnify the AOC for any liability imposed on the AOC pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. sec. 9601 et seq.) or related provisions, for conditions that existed in, on, or under the real property, whether known or not known to the County, at the time of transfer,
- It should be noted that the seismic evaluation has determined that in the event of seismic disturbance the facility may pose significant risk to persons and property which could create substantial liability to the State of California. However, the Transfer Agreement provides indemnifications to State for seismic related damage and injury per Government Code 70324.
- There is no relocation assistance or implied dedication involved with this project.
- In accordance with the Act, the Transfer Agreement provides for the transfer of parking spaces as was made available for Court Use as of October 1, 2001.

**Staff Recommendation:**      **Authorize the acceptance of real property through a transfer of title.**

## CONSENT ITEMS

### CONSENT ITEM—2

**JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
NEW MADERA COURTHOUSE PARKING GARAGE  
MADERA COUNTY**

JCC Parcel Number 20-F2, DGS Parcel Number 10689

*Authority: Chapter 171 & 172, Statutes of 2007, Item 0250-301-3037(2)  
Chapter 268 and 269, Statutes of 2008, Item 0250-301-3037(2), as re-appropriated  
by the Budget Act of 2009  
Chapter 1, Statutes of 2009, Third Extraordinary Session, as amended by  
Chapter 1, Statutes of 2009, Fourth Extraordinary Session, Item 0250-301-3037(5)*

**Consider authorizing acceptance of a no-cost acquisition**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

Judicial Council of California  
Administrative Office of the Courts  
New Madera Courthouse Parking Garage  
Madera County

#### Action requested

**If approved, the requested action would authorize acceptance of a no-cost acquisition.**

#### Scope Description

**This project is within scope.** The requested action would authorize the no-cost acquisition from the Madera Redevelopment Agency (RDA) of approximately 0.58 acre for the construction of a new two hundred fifty (250) space parking garage for the Madera Courthouse (Court) staff, Court users, and members of the public. The parking garage will be owned and operated by the State of California (State), acting by and through the Judicial Council of California (Council), Administrative Office of the Courts (AOC). This site, located in the City of Madera, consists of three parcels and a portion of an alley. The RDA assembled the three parcels, demolished the existing improvements, vacated the portion of the alley, and removed underground utilities in preparation for donation of the site to the State.

### Funding and Cost Verification

**This project is within cost.** Sections 70371.5 and 70371.7 of the Government Code provided \$6,205,000 for land acquisition. However, since the RDA has agreed to donate the site to the State, other than due diligence and staff costs, none of those funds are required to acquire the subject site. The property can be acquired with the funds available and in accordance with legislative intent.

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 28, 2010, and the 35-day statutes of limitation period expired on July 31, 2010, without challenge.

### Project Schedule

Close of escrow	February 2011
Approve preliminary plans	March 2011
Complete working drawings	October 2011
Start construction	December 2011
Complete construction	October 2013

### Condition of Property

On October 29, 2010, staff from Department of General Services (DGS), Environmental Services Section visited the property for the proposed Court parking garage. The property consists of three contiguous parcels totaling approximately one-half acre of land in a mixed residential and commercial area of downtown Madera. The site is within the area of the historic Courthouse, now a museum. Prior building improvements have been demolished. DGS staff did not observe apparent hazards to health and safety.

A Phase I Environmental Site Assessment (Phase I) was completed on May 21, 2010, in accordance with the American Society for Testing and Materials Standard Practice for Environmental Site Assessments (ASTM E 1527-05). DGS staff reviewed the Phase I and agrees with the conclusion of no recognized potentially adverse environmental conditions. No further investigations appear warranted.

### Other

- The proposed site meets the Council's size, location, and compatibility requirements.
- The grant deed contains a right of reversion to the RDA if the State does not commence construction by the Construction Commencement Deadline identified in the Property Acquisition Agreement (PAA) as July 1, 2020.
- The PAA does not include the State's standard indemnification language. However, the Phase I ESA and the DGS-ESS site visit do not indicate any conditions that would likely pose exceptional risk to the State. Further, the lack of standard indemnification language does not relieve the grantor's liability under existing environmental laws and regulations.
- The PAA requires delivery of title to the property free and clear of any mortgages or liens.
- There are no historic issues, relocation assistance, or implied dedication associated with this project.

**Staff Recommendation: Authorize acceptance of a no-cost acquisition.**

## CONSENT ITEMS

### CONSENT ITEM—3

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
RENOVATION AND ADDITION TO WILLOWS COURTHOUSE  
GLENN COUNTY

AOC Facility Numbers 11-A4, 11-A5, and 11-A6, DGS Parcel Number 10701

*Authority: Sections 70371.5 and 70371.7 of the Government Code*

**Consider authorizing site selection**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

Judicial Council of California  
Administrative Office of the Courts  
Renovation and Addition to Willows Courthouse  
Glenn County

#### Action Requested

**If approved, the requested action would authorize site selection.**

#### Scope Description

**This project is within scope.** The project provides for the site acquisition of land for the expansion of the existing courthouse and construction of one additional courtroom with secure parking for judicial officers and staff and surface parking in the downtown area of the City of Willows, Glenn County. The site selection consists of three parcels totaling approximately 0.8 acres of land.



### Funding and Cost Verification

**This project is within cost.** This project was authorized by the Board on March 15, 2010, and \$1,693,000 was included for land acquisition per sections 70371.5 and 70371.7 of the Government Code. This property can be acquired with the funds available and in accordance with Legislative intent.

\$46,229,000	total authorized project cost
\$46,229,000	total estimated project cost
\$ 1,354,000	project costs previously allocated: acquisition
\$44,875,000	project costs to be allocated: \$339,000 acquisition, \$2,021,000 preliminary plans, \$2,688,000 working drawings, and \$39,827,000 construction (\$33,785,000 contract, \$2,365,000 contingency, \$1,394,000 A&E costs, and \$2,283,000 other)

### CEQA

Subsequent to the site selection process and in accordance with the California Environmental Quality Act (Public Resources Code section 21000-21177) and pursuant to section 15063 of Title 14 of the California Code of Regulations, the Judicial Council of California, acting in the capacity of Lead Agency, will undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. This will be submitted with a future site acquisition application for the selected site.

### Project Schedule

Close of escrow	September 2011
Approve preliminary plans	January 2013
Complete working drawings	July 2013
Start construction	February 2014
Complete construction	August 2015

### Condition of Property

On January 7, 2011, the Department of General Services (DGS), Environmental Services Section staff visited properties in the City of Willows considered for acquisition for the expansion of Glenn County Courthouse and associated parking. The properties include three parcels totaling about 0.8 acres where about 0.3 acres is developed with a parking lot and driveway located adjacent to the Glenn County Courthouse, District Attorney's office, Glenn County Jail, and county maintenance building (Expansion Site), the second parcel is located west of the Courthouse across Murdock Avenue and it is about 0.1 acres in size, rectangular in shape and is developed as a parking lot (Parking Lot 1) and the third parcel is located northeast of the Glenn County Courthouse across Sycamore Street and it is about 0.2 acres in size, rectangular in shape and developed with a residential structure of about 1,200 square feet (Parking Lot 2).

In accordance with the American Society of Testing and Materials (ASTM E 1527-05), a Phase I Environmental Site Assessment for the Expansion Site was published in July 2010. The Phase I concluded based on the information and data obtained during the investigation, no historic or current recognized environmental conditions (RECs) were identified in connection with the Expansion Site. In addition, the Phase I reports no data gaps.

In December 2010, a Phase I for the Parking Lot 1 site was published in accordance with ASTM E 1527-05 standards. This Phase I concluded no RECs were identified in connection with the Parking Lot 1 site and that no further environmental investigation was recommended.

Also in December 2010, a Phase I for the Parking Lot 2 site was published in accordance with ASTM E 1527-05 standards. The site is developed with a single residence, small yard, and an asphalt parking lot south of the house. The existing house was constructed in 1913, originally for residential purposes but later converted to public/office use in 1991 when purchase by the County of Glenn. The house is currently vacant. Based on the age of the house and observations, potential asbestos containing materials and lead based paint were suspected. If demolition or renovation activities are planned for this site, it is recommended that a full asbestos, lead-based paint survey, and shallow samples be collected in and around the house and soil and analyzed for lead and other metals to classify for potential disposal.

#### Other

- The proposed properties meet the Judicial Council's size, location, and compatibility requirement.
- The purchase price shall not exceed the estimated fair market value as indicated in DGS approved appraisals.
- Determination of responsibility for the demolition of the converted office building will take place during the post-site selection due diligence period.
- There are no historic issues, relocation or implied dedication involved with this project.

**Staff Recommendation:     Authorize site selection.**

## CONSENT ITEMS

### CONSENT ITEM—4

**CALIFORNIA HIGHWAY PATROL (CHP) (2720)  
CHP ENHANCED RADIO SYSTEM REPLACE TOWERS AND VAULTS  
VARIOUS COUNTIES**

*Authority: Chapter 1 Statutes of 2009, Third Extraordinary Session, Item 2720-301-0044(1)  
as amended by Chapter 1 Statutes of 2009, Fourth Extraordinary Session and as  
partially reverted by the Budget Act of 2010  
Chapter 712, Statutes of 2010, Items 2720-301-0044(1)*

**Consider approval of preliminary plans for the Soda Ridge site**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—4

Department of California Highway Patrol  
CHP Enhanced Radio System Replace Towers and Vaults  
Various Counties

Action requested

**If approved, the requested action would approve preliminary plans for the Soda Ridge site.**

Scope Description

This project consists of fifteen sites that include the construction of a self-supporting radio tower, foundation and associated support structure as well as the extension of underground utilities and the demolition and removal of the existing tower. Each tower shall be built to meet essential services seismic standards, withstand winds of 100 mph, and have a 50-year serviceable life. In addition, the Soda Ridge site will include a small equipment vault with snow vestibule and ice shield, an emergency generator and a fuel tank.

### Funding and Cost Verification

**This project is within cost.** The Budget Act of 2009 provides \$6.3 million (Motor Vehicle Account) for the preliminary plans and working drawings for tower and vault replacements. The Budget Act of 2010 provides an additional \$26.2 million for construction and reverted \$208,000 in design savings associated with a May 2010 scope change that replaced two sites. Presently, there is an estimated surplus for the Soda Ridge site that may result in construction savings based on the current bid environment.

\$32,300,000	total authorized project costs
\$31,513,000	total estimated project costs
\$ 4,012,000	project costs previously allocated: \$3,510,000 preliminary plans and \$502,000 working drawings
\$27,501,000	project costs to be allocated: \$2,114,000 working drawings and \$25,387,000 construction (\$19,835,000 contract, \$992,000 contingency, \$1,613,000 A&E, and \$2,947,000 other project costs)
\$ 787,000	estimated surplus: \$284,000 Soda Ridge and \$503,000 other sites

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 25, 2010, and the 35-day statutes of limitation waiting period expired on November 29, 2010, without challenge.

### Real Estate Due Diligence

Specific to the Soda Ridge site, the land is leased from a private party. An extension of the lease through the year 2040 is in final negotiations and expected to be completed in mid-February. This site will not be allowed to proceed-to-bid until the extended lease is in place.

### Project Schedule

Approve preliminary plans	February 2011
Complete working drawings	June 2011
Start construction	October 2011
Complete construction	August 2013

**Staff Recommendation: Approve preliminary plans for the Soda Ridge site.**

## CONSENT ITEMS

### CONSENT ITEM—5

DEPARTMENT OF PARKS AND RECREATION (3790)  
CUYAMACA RANCHO STATE PARK, SAN DIEGO COUNTY  
Equestrian Facilities

*Authority: Chapters 268 and 269, Statutes of 2008, Item 3790-301-6051(7) and (7.5)*

**Consider approving preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—5

Department of Parks and Recreation  
Cuyamaca Rancho State Park, Equestrian Facilities  
San Diego County

Action Requested

**If approved, the requested action would approve preliminary plans for this project.**

Scope Description

**This project is within scope.** This project will provide equestrian day-use facilities and amenities within the 26,000-acre Cuyamaca Rancho State Park. The project will construct an equestrian trailhead parking area and provide trail connections to the existing trail system.

### Funding and Cost Verification

**This project is within cost.** The total project cost based on the preliminary plans is \$2,007,000 compared to \$3,441,000 as appropriated by the Legislature in the 2008 and 2009 Budget Acts. During the planning phase, it was determined that topographic and environmental constraints on the site required a reduction in the project area, with a concomitant reduction in the necessary earthwork and materials needed. In addition, fewer modifications to the highway right of way were determined to be required than had been anticipated in the budget package. Consequently, Parks has estimated a savings of \$57,000 in the working drawing phase and of \$1,377,000 in the construction phase. These are estimates and upon completion of working drawings and construction award the actual savings will be recognized.

\$3,441,000	total authorized project costs
\$3,441,000	total estimated project costs
\$ 205,000	project costs previously allocated: preliminary plans
\$3,236,000	project costs to be allocated: \$205,000 working drawings and \$3,031,000 construction (\$2,759,000 contract, \$138,000 contingency, \$104,000 A&E costs, and \$30,000 agency retained items)
\$1,434,000	estimated savings: working drawings and construction

### CEQA

A Notice of Determination was filed with the State Clearinghouse on June 2, 2010, and the statutes of limitation period expired on July 3, 2010, without challenge.

### Real Estate Due Diligence

Parks has conducted due diligence for this project and have not identified any significant issues.

### Project Schedule

Approve preliminary plans	February 2011
Complete working drawings	June 2011
Start construction	September 2011
Complete construction	December 2012

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEMS

### CONSENT ITEM—6

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
CALIFORNIA INSTITUTION FOR WOMEN  
45-BED ACUTE/INTERMEDIATE CARE FACILITY  
SAN BERNARDINO COUNTY

*Authority: Chapters 47 and 48, Statutes of 2006, Item 5225-301-0001 (15.5)  
Sections 15819.40(c) and (d) and 15819.401 – 15819.404 of the Government Code*

**Consider recognizing revised project costs**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—6

Department of Corrections and Rehabilitation  
California Institution for Women, 45-Bed Acute/Intermediate Care Facility  
San Bernardino County

#### Action Requested

**If approved, the requested action would recognize revised project costs.**

#### Scope Description

**This project is within scope.** This project will provide 45-single occupancy inmate-patient cells arranged in four wings. This facility will be a licensed mental health treatment facility for female inmate-patient and will serve as an annex to, and under the license of, the existing Correctional Treatment Center located just south of this new building. This facility will include housing, treatment, program, and office space. This project also includes expansion of the existing secure perimeter, two new guard towers, a 180-space parking area, and levees along the catchment basin to protect all occupied areas below 566 feet elevation.

This project is part of the supplemental mental health bed plan approved by the *Coleman* court in August 2007, and the activation schedule for this project was approved by the *Coleman* court on June 18, 2009. This project is necessary to provide adequate licensed inpatient mental health treatment capacity for the CDCR's female inmates who require inpatient mental health care beyond short-term crisis care.

#### Funding and Cost Verification

**This project is not within cost.** The Budget Act of 2006 appropriated \$2,172,000 General Fund for the preliminary plans for this project. On June 12, 2009, the Board took an action allocating \$61,577,000 of the \$710,940,000 Public Buildings Construction Fund (lease revenue bond authority) appropriated in section 15819.403(a) of the Government Code to complete working drawings and construction for this project. At that time the recognized total project cost was \$63,749,000. A new project cost estimate completed in association with award of the construction contract identified a \$29,986,000 decrease in project costs. Consequently, on July 12, 2010, the Board took an action recognizing this decrease and a revised total estimated project cost of \$33,763,000.

Construction began in May 2010, and is scheduled for completion in December 2011, in accordance with the activation schedule approved by the *Coleman* Court. As of January 1, 2011, construction is approximately 18 percent complete. While the scope of the project has not changed, a number of unanticipated construction costs have arisen since the award of the construction contract totaling approximately \$770,000.

As awarded, the value of the construction contract is \$18,590,000 and the project budget includes a five percent construction contingency totaling \$930,000. To date, \$769,973 (approximately 83 percent) of the construction contingency has been allocated for pending change orders related to unanticipated construction costs. These unanticipated costs are associated with modifications necessary to 1) ensure compliance with current State Fire Marshal Code (\$379,000) and Building Code (\$188,000) requirements, 2) accommodate unanticipated site conditions (\$96,000), and 3) facilitate changes requested by the Department of Corrections and Rehabilitation to improve safety and security at the facility and to increase coordination of construction management (\$107,000).

This action would recognize the unanticipated costs associated with modifications necessary to ensure compliance with current State Fire Marshal Code (\$379,000) and Building Code (\$188,000) requirements as additional construction contract costs and increase the financing authority for the construction contract by \$567,000 in order to preserve existing construction contingency. In addition, as a result of increasing the construction contract amount, the five percent construction contingency will increase by \$28,000. Cumulatively, this action will recognize total increased construction costs of \$595,000.

\$33,763,000	total authorized project cost
\$34,358,000	total estimated project cost
\$33,763,000	project costs previously allocated: \$2,172,000 preliminary plans, \$4,167,000 working drawings, and \$27,424,000 construction (\$18,590,000 contract, \$930,000 contingency, \$2,224,000 A&E, \$2,815,000 other project costs, and \$2,865,000 agency retained items)
\$ 595,000	project cost increase: construction (\$567,000 contract, \$28,000 contingency)



### CEQA

A Notice of Determination was filed with the State Clearinghouse on November 7, 2006, and a second Notice of Determination was filed with the State Clearinghouse on September 27, 2007. The 30-day statutes of limitation for each expired without comment.

### Real Estate Due Diligence

The Department of General Services completed a Summary of Conditions Letter for this project on July 16, 2009, and no significant issues were identified.

### Project Schedule

Approve preliminary plans	June 2009
Complete working drawings	March 2010
Start construction	May 2010
Complete construction	December 2011

**Staff Recommendation:**     **Recognize revised project costs.**

## CONSENT ITEMS

### CONSENT ITEM—7

UNIVERSITY OF CALIFORNIA (6440)  
MERCED CAMPUS  
SCIENCE AND ENGINEERING BUILDING 2  
MERCED COUNTY

*Authority: Chapter 712, Statutes of 2010, Item 6440-301-0660 (4)*

**Consider approval of preliminary plans**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—7

University of California, Merced  
Science and Engineering Building 2  
Merced County

Action requested

**The requested action would approve preliminary plans for this project.**

Scope Description

**This project is within scope.** The project will provide 57,305 assignable square feet (asf) of new construction to support instruction and research activities for the Merced Schools of Engineering and Natural Sciences. Adjacent to the existing Science and Engineering Building 1 on the main campus, the new building (101,873 gross square feet) is three stories plus one level below grade. It will house research laboratories and support space, wet class laboratories, an open class laboratory, academic and research offices, and related scholarly activity and support space for academic programs in the chemical sciences, computer science, mechanical engineering, materials science and engineering, bioengineering, and environmental engineering.

### Funding and Project Cost Verification

**This project is within cost.**

\$ 84,740,000 total authorized project costs

\$ 88,819,000 total estimated project costs

\$ 3,700,000 project costs previously allocated: preliminary plans (campus funds)

\$ 85,119,000 project costs to be allocated: \$3,450,000 working drawings (state lease revenue bonds), \$77,583,000 construction (state lease revenue bonds), \$71,153,000 contracts, and \$3,556,000 contingency, \$2,874,000 A&E costs, and \$4,079,000 equipment (future state funds)

### CEQA

A Notice of Determination was filed with the State Clearinghouse on September 21, 2009, and the 30-day statutes of limitation period expired on October 21, 2009, without challenge.

### Real Estate Due Diligence

Consistent with requirements for lease revenue bond funded projects, a full title review is currently in progress and is expected to be completed before the February 2011 Board meeting.

### Project Schedule

Approve preliminary plans	February 2011
Complete working drawings	August 2011
Start construction	November 2011
Complete construction	June 2014

**Staff Recommendation: Approve preliminary plans**

## ACTION ITEMS

### ACTION ITEM—1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)  
ADMINISTRATIVE OFFICE OF THE COURTS  
NEW MADERA COURTHOUSE  
MADERA COUNTY**

AOC Facility Number 20-F1, DGS Parcel Number 10538

*Authority: Chapters 171 and 172, Statutes of 2007, Item 0250-301-3037(2)*

**Consider authorizing acquisition. On June 12, 2009, the Board took action to authorize a contingent acquisition for the New Madera Courthouse if the Madera Redevelopment Agency (Madera RDA) satisfactorily completed specified conditions. The Administrative Office of the Courts was directed to return to the Board for acquisition approval if those conditions had been met. The conditions have been satisfied. The conditions are listed below:**

- (1) Acquisition of the five contiguous parcels by the Madera RDA and assemblage of all parcels into a single parcel – condition satisfied in October 2010;**
- (2) The Madera RDA's completion of any and all applicable occupant relocation assistance – condition satisfied in December 2010;**
- (3) The City's unconditional abandonment of the alley between the parcels – condition satisfied in November 2010;**
- (4) The Madera RDA's relocation of an irrigation district right of way and associated improvements off the property – condition satisfied in October 2010;**
- (5) The Madera RDA's demolition of all unnecessary above and below ground improvements – condition satisfied in December 2010;**
- (6) The Madera RDA's removal of underground storage tanks, above ground storage tanks, and 55-gallon oil, solvent, transmission oil, and hydraulic fluid drums situated on one of the five parcels, along with any contaminated soils – condition satisfied in November 2010; and,**
- (7) A "No Further Action" letter issued by the appropriate state regulatory agency or the designated County environmental health agency – condition satisfied in December 2010.**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

Judicial Council of California  
Administrative Office of the Courts  
New Madera Courthouse

#### Action Requested

**If approved, the action would authorize acquisition.**

#### Scope Description

**This project is within scope.** The action would authorize the purchase of approximately 2.2 acres of unimproved land from the Madera RDA to construct a new 10-courtroom, 100,000 square foot facility for use by the Superior Court of California, Madera County for judicial, court, administrative office, and related purposes. The project will replace deficient existing court facilities and provide juror and court related public parking as well as secure parking for judicial officers and staff. The proposed site is a single parcel situated proximate to the Madera Courthouse Park, the County Administrative Center, and the County public parking garage.

#### Funding and Cost Verification

**This project is within cost.** Chapters 171 and 172, Statutes of 2007, Item 0250-301-3037(2) provides \$3,440,000 for land acquisition. The property can be acquired with the funds available and in accordance with Legislative intent.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on October 2, 2008, and the statutes of limitations period expired on November 7, 2008, without challenge.

#### Project Schedule

Estimated close of escrow	February 2011
Approve preliminary plans	March 2011
Complete working drawings	October 2011
Start construction	December 2011
Complete construction	October 2013

#### Condition of Property

Phase I and Phase II Environmental Site Assessments (ESA) were completed in March, 2009, and May 2009, respectively. Conclusions of these tests were that no further investigation is warranted because the concentrations are well below the levels of concern and do not pose a significant health risk to people who may live or work at the site. A limited soil assessment dated March 27, 2009, was also conducted in the area of the existing 10,000-gallon gasoline underground storage tank and associated product lines and dispensers. No petroleum hydrocarbons were detected in the soil samples. The report conclusion is that no further soil assessment appears warranted.

### Conditions Precedent to Final Acquisition Approval

The Board authorized conditional site acquisition for this project on June 12, 2009. Final Board acquisition authorization was contingent upon the Administrative Office of the Courts returning to the Board to certify satisfactory completion of the tasks listed below:

- (1) Acquisition of the five contiguous parcels by the Madera RDA and assemblage of all parcels into a single parcel – condition satisfied in October 2010;
- (2) The Madera RDA's completion of any and all applicable occupant relocation assistance – condition satisfied in December 2010;
- (3) The City's unconditional abandonment of the alley between the parcels – condition satisfied in November 2010;
- (4) The Madera RDA's relocation of an irrigation district right of way and associated improvements off the property – condition satisfied in October 2010;
- (5) The Madera RDA's demolition of all unnecessary above and below ground improvements – condition satisfied in December 2010;
- (6) The Madera RDA's removal of underground storage tanks, above ground storage tanks, and 55-gallon oil, solvent, transmission oil, and hydraulic fluid drums situated on one of the five parcels, along with any contaminated soils – condition satisfied in November 30, 2010; and,
- (7) A "No Further Action" letter issued by the appropriate state regulatory agency or the designated County environmental health agency – The Certificate of Tank Closure (which includes the no further action statement) was issued by the Madera County Environmental Health Department in December 2010.

### Other

- The Board authorized site selection on August 8, 2008.
- The property is situated within the Madera RDA Plan Area. The Property Acquisition Agreement includes a clause wherein the Madera RDA agrees that it will not exercise any rights it may have under its redevelopment plan to restrict or control the development or use of the property.
- The property will be acquired in part in exchange for the State's equity interest in the existing court facility. The total compensation for the property shall be for less than the sum of the DGS approved appraised values for the parcels as currently improved and the actual invoiced land assembly costs incurred by the Madera RDA including, but not necessarily limited to, occupant relocation, improvements demolition, alley abandonment, and irrigation district right of way relocation.
- The Property Acquisition Agreement does not include the DGS standard environmental indemnification language. However, based on the DGS site visit, review of the Phase I and Phase II ESAs, and review of additional soil sampling results; it does not appear that there are any environmental conditions which would present exceptional risk to the state. It should be noted that the lack of standard indemnification language does not relieve the seller or prior owners of liability under existing law.
- There are no historic issues, relocation assistance to be conducted by the state, and no implied dedication involved with this project.

**Staff Recommendation:     Authorize acquisition.**

**OTHER BUSINESS**

**NONE**

**REPORTABLES**

**To be presented at the meeting.**